

Montana Department of LABOR & INDUSTRY

Steve Bullock, Governor
Pam Bucy, Commissioner

BUSINESS & LABOR
EXHIBIT NO. 4
Business Standards Division
DATE 1-18-13
Jack Kane, Administrator
BILL NO. SB 109

Date: January 17, 2013

To: Senate Business, Labor and Economic affairs Committee
Senator Jon Sonju, Chairman

From: Department of Labor and Industry
David W. Cook, Bureau Chief, Building Codes Bureau

Re: Building Code Adoption and Certification of Local Building Code Enforcement Programs

Information requested related to SB 109 - "An act requiring a landlord to comply with applicable building and housing codes in effect at the time of a dwelling unit's original construction rather than only for dwelling units constructed after July 1, 1977

Department Responsibilities – Overview

MCA 50-60-202 Department to be sole state agency to promulgate building regulations

MCA 50-60-203 Department to adopt state building code by rule

The department adopts building codes through administrative rules after consultation with stakeholders and the Building Codes Advisory Council – See "Code Adoption Process in Montana" sheet (attached).

MCA 50-60-301 County, city and town building codes authorized

A county, city or town building code may include only codes adopted by the department (one exception is energy code, they can elect to have an energy code that exceeds the state) See the attached list of currently adopted codes by the state. If counties, cities or towns elect to adopt a specific code than they must adopt the **same** editions with the **same** modifications as the state. Note: Elevator and Boiler codes are State of Montana codes only – local jurisdictions do not enforce elevator or boiler codes.

MCA 50-60-302 Certification of county, city or town building codes

This section spells out the process of certifying, qualifying, and approving a local jurisdiction for building code enforcement including provisions for rulemaking to administer this section including the process for de-certifying those jurisdictions that are shown to be operating outside the state requirements. Once a jurisdiction is certified the department has the authority in this section to ensure that code enforcement program functions are being properly performed. A current list of certified jurisdictions is attached.



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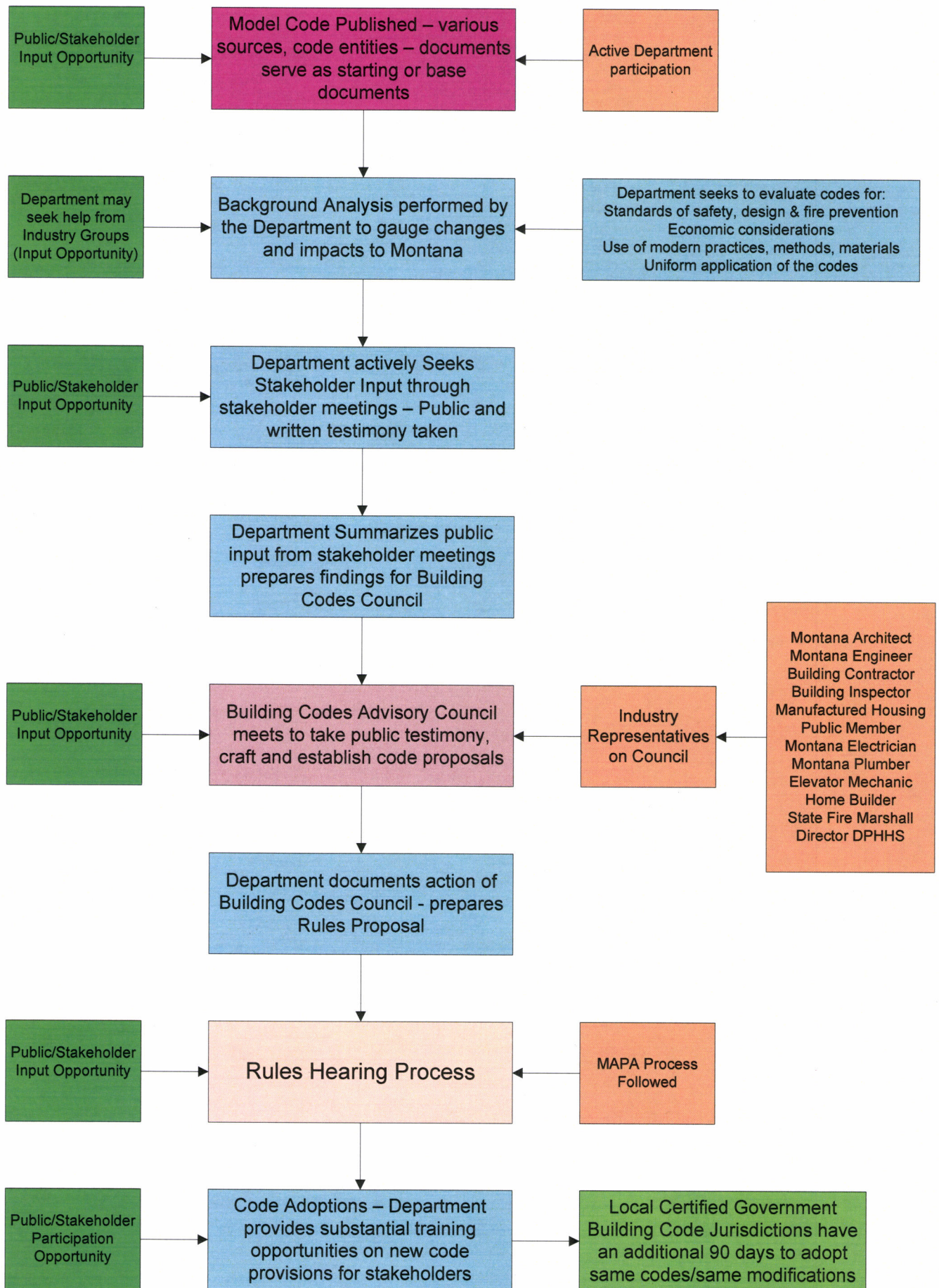
Jack, Kane, Administrator

Existing structures are not subject to building regulations in the State of Montana **unless** they undergo construction, reconstruction, addition, remodeling, alteration, or repair (not maintenance). If any of these activities are undertaken then those areas affected by that activity will be subject to the current code but only those areas of the structure undergoing such activity.

Department's plan of action with regards to information gathered from SB 109 hearing

1. In lieu of waiting till the next (required) audit submission from each certified jurisdiction the department will require each jurisdiction to submit, within 30 days, a list of current codes they have adopted and are using.
2. From this jurisdictional information the department will formulate action plans for those not complying with certification rules/laws to the extent requisite with current rules or statutes.

CODE ADOPTION PROCESS IN MONTANA – AT A GLANCE



CURRENT ADOPTED CODES

THESE CODES ARE AMENDED AND ADOPTED BY ADMINISTRATIVE RULE

Building Codes

International Building Code, 2009 Edition - Effective: July 29, 2010

International Residential Code, 2006 Edition - Effective: January 26, 2007

International Existing Building Code, 2009 Edition - Effective: July 29, 2010

Uniform Plumbing Code, 2009 Edition - Effective: July 29, 2010

International Mechanical Code, 2009 Edition - Effective: July 29, 2010

International Fuel Gas Code, 2009 Edition - Effective: July 29, 2010

NFPA 99c, Standard on Gas and Vacuum Systems (med gas), 2005 Edition - Effective: January 26, 2007

National Electrical Code, 2011 Edition - Effective: January 18, 2013

International Energy Conservation Code, 2009 Edition - Effective: March 26, 2010

Boiler and Elevator Codes

American Society of Mechanical Engineers, Boiler and Pressure Vessel Code, 2004 Edition - Effective: January 26, 2007

American Society of Mechanical Engineers, publication CSD-1, Controls and Safety Devices for Automatically Fired Boilers, 2002 Edition - Effective: January 26, 2007

National Board of Boiler and Pressure Vessel Inspectors, National Board Inspection Code, 2004 Edition - Effective: January 26, 2007

Safety Code for Elevators and Escalators, ASME A17.1, 2004 Edition, A17.1a 2005 Addenda, and ASME A17.1S, 2005 Supplement - Effective: January 26, 2007

Safety Code for Existing Elevators and Escalators, ASME A17.3, 2002 Edition - Effective: February 27, 2004

Safety Standard for Platform Lifts and Stairway Chairlifts, ASME A18.1, 2003 Edition - Effective: January 26, 2007
ASME A17.1, 2004 Edition, Appendix N, Table N1, Recommended Inspection and Test Intervals in Months. - Effective: January 26, 2007

NOTE: All of the codes listed above are amended by Administrative Rules of Montana Title 24, Chapter 301.

MONTANA CERTIFIED LOCAL GOVERNMENT PROGRAM

All other areas are under the jurisdiction of the State Building Codes Bureau

CITY	CODES	BUILDING OFFICIAL	PHONE	JURISDICTION
Anaconda/Deer Lodge	B	Dustin McKenney	563-4011	Entire County
Belgrade	B,P	Jason Karp	388-4994	City Limits
Billings	B, P(M/G) E, M	Kim Palmieri	657-8273	City Limits
Bozeman	B, P, E	Bob Risk	582-2377	City Limits
Butte-Silver Bow	B, P, E, M	John Harrington	497-6210	County
Choteau	B (comm, res)	Kyle Harlan	466-2510	City Limits
Colstrip	B* (residential only)	Jan Morgan	748-2300	City Limits (eff. 7/1/07)
Columbia Falls	B, P(M/G) E, M	Virgil Bench	863-2410	City Limits
Conrad	B,(comm, res)	Kyle Harlan	271-3623	City Limits
Cutbank	B	Jim Yeagley	434-5222	City Limits
Darby	B	Nate Robbins	821-4510	City Limits
East Helena	B, E	Craig Jenneskins	447-5000	City Limits
Forsyth	B	Dennis Hirsch	346-2521	City Limits
Fort Benton	B	Harry Buckingham	622-5494	City Limits
Glasgow	B, M	Robert Kompel	228-2476	City Limits
Glendive	B	George Lane	377-2361	City Limits
Great Falls	B, P(M/G) E, M	Craig Raymond	455-8530	City Limits
Hamilton	B, P	Land Hanson	363-3316	City Limits
Hardin	B	Dallas Eidem	665-9264	City Limits (B eff 11/19/07)
Havre	B	David Peterson	265-4941	City Limits
Helena	B, P, E, M	Brandt Salo	447-8437	City Limits
Hysham	B	M. Lyle Maasch	342-5544	City Limits
Kalispell	B, P(M/G) M	Jeff Clawson	758-7730	City Limits (eff 5/22/08)
Laurel	B	Gary Colley	628-4796	City Limits (eff 10/1/07)
Lewistown	B (comm)	Rick Benton	535-1776	City Limits (eff 4-16-2012)
Libby	B	Ron Higgins	293-2731	City Limits
Livingston	B	Jim Woodhull (eff 9/4/07)	222-0083	City Limits(no mech as of 3/31/08)
Malta	B* (residential only)	John Demarais	654-1676	City Limits
Manhattan	B, P(M/G) E, M	Dave Rowell	284-3235	City Limits
Miles City	B	Dennis Hirsch (interim)	234-3493	City Limits (Eff. 5/23/07)
Missoula	B, P(M/G) E, M	Don Verrue	552-6042	City Limits
Missoula County	B, P, E, M	Steve Hutchings	258-3776	County
Pinesdale	E* (residential only)	Derek Watt	961-1271	City Limits
Pondera County	B (Comm)	Kyle Harlan	721-3623	County (Eff 3-12-2012)
Red Lodge	B	Tim Swansborough	446-0196	City Limits (B - eff 12/19/08)
Richland County	B	Alton Hillesland	480-2289	County except Fairview, Sidney
Ronan	B	Dan Miller	676-4231	City Limits
Shelby	B	Jim Yeagley	434-5222	City Limits
Sidney	B	Alton Hillesland	480-2289	City Limits
Stevensville	B,P,E,M res/comm	Dennis Monroe	777-5271	City Limits (eff 3/1/2010)
Toole County	B (comm only)	Kyle Harlan	424-8310	County
Townsend	B, M	James Schaubert	266-3911	City Limits
Troy	B	Ron Higgins	291-0177	City Limits
West Yellowstone	B (res only)	James Patterson	646-7609	City Limits
Whitefish	B, P(M/G) E, M	Virgil Bench	863-2410	City Limits
Wolfpoint	B	Interstate Engineering/ Brian Milne	433-5617	City Limits
KEY: B= Building, P = Plumbing, M/G = Medical Gas, E = Electrical, M = Mechanical				
* Indicates that jurisdiction only enforces this code on residential				
				UPDATED 8/8/2012